

COMPARATIVE ANALYSIS OF PRINCIPLE OF NON-REFOULEMENT IN REFUGEE LAW AND JUS COGENS; SCOPE, EXCEPTIONS AND EXTRATERRITORIAL APPLICATION

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Abstract

Non-refoulement is the main pillar of international refugee protection and international human rights law. The rule, which is a fundamental one provides protection, as per Article 33 of the 1951 Refugee Convention, by barring States from returning, expelling or surrendering an individual to a territory where his life would be in danger, facing real risk of persecution in form of torture and inhumane treatment. As per the Additional Protocol 1967 article 1 relating to the status of refugees, the time-based and territorial limitations of the Refugee Convention 1951 have been removed. This concept of non-refoulement has radically transformed from being a treaty obligation as per international refugee law to that of being a non-derogable custom of human rights law internationally, notably as a jus cogens, Customary International Law, Convention Against Torture and International Covenant on Civil and Political Rights. This is doctrinal research which consists of a comparative study of doctrine of non-refoulement, its jurisprudence and how it has evolved through domestic and international judicial decisions. This research critically reviews the concept and doctrine of non-refoulement, its legal framework and use in today's world. It systematically examines the tension between sovereign border controls and human rights commitments, limited scope of refugee law's "safety exceptions" as compared to law of human rights, and complicated externalization issues arising due to maritime interception, externalized management of the borders and border pushback.

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1. Introduction

Non-refoulement provides a framework that establishes international protection for the displacement of people. According to Lauterpacht & Bethlehem (2003), the principle was set forth by the French verb *refouler*, meaning the act of driving, repelling or turning away and was based upon a negative obligation for the sovereign States (Tabak, 2012), barring the forcible refoulement or removal of an individual to a region where there are serious threats to fundamental human rights.

In the past the state had virtually unconstrained authority over the entry, presence and expulsion of non-citizens, however, the international legal regime that followed World War II had introduced conventional humanitarian limits to the state action. Non-refoulement is an evolution of humanitarian asylum to international law, or a slowly emerging trend towards adoption of international law as binding legal precedents (Khan, 2027).

In the course of the last seven decades, non-refoulement has shifted from being a qualified treaty obligation of IRL (International Refugee Law), to becoming an absolute, non-derogable protection standard of IHRL, transforming from qualified treaty obligation to CIL and jus

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cogens. Whereas, the principle is given voice in the international legal instruments of Convention necessary for the care of refugees as a fundamental principle of law (Article 33 of Refugee Convention 1951) and of humanitarian law for protection of persons under any circumstances (Article 3 of the UNCAT, Article 7 of ICCPR and Article 3 of ECHR).

In today's international regime of migration management, non-refoulement is at the very core of the system and also at the highest risk ever of being undermined legally and practically. Sovereign States use increasingly complex legal fictions and physical interception measures like high seas maritime turn-backs, border pushbacks, externalization of migration practices, exclusion of migrants in transit zones and reliance on diplomatic assurances to prevent migrants from actually entering the State's territorial jurisdiction and therefore from gaining access to a State's legal protection regime. In addition, there is a structural jurisprudential clash between IRL regime which provides for qualified shield as compared to national security and public safety exceptions in article 33(2) of 1951 Convention and the absolute, non-derogable prohibitions in IHRL (International law against return to torture and grave ill-treatment). This friction creates conflict when interpreting the extraterritorial implications of treaty obligations, apportioning state responsibility and determining what proof is needed to establish 'prospective risk' (Haider et al., 2026).

This article probes into the theoretical framework, the normative dimension, legal exceptions, and challenges in the implementation of non-refoulement within various public international law regimes. Following research inquiries are made to achieve the research objectives.

1. What are the normative guidelines and legal framework provided in Article 33 of Refugee Convention 1951 and in practice how does exceptions on non-refoulement work?
2. How did non-refoulement become absolute and non-derogable right as per the IHRL with respect to Article 3 of UNCAT and Article 7 of ICCPR?
3. How does CIL and jus cogens widen scope of non-refoulement duty to non-signatory states?
4. How do international tribunals implement non-refoulement in regards to maritime interceptions, externalized border regulations and pushbacks in transit zones?

Considering the legal issues that need to be addressed systemically, this study applies the doctrine legal research methodology of legal studies, which has been referred to as "black-letter" legal analysis. This doctrinal research emphasizes on comprehensive qualitative analysis of the primary legal sources, involving treaties text, normative rules of international law, general principles, the advisory opinions, and jurisprudence of local and international courts, on the corroborated by authoritative secondary legal materials.

The primary legal sources include 1951 Refugee Convention, AP 1967, ICCPR 1966, UNCAT 1984 as well as domestic legal mechanism such as European Convention of Human Rights (ECHR) 1953, American Convention of Human Rights (ACHR) 1969, Organization of African Union (OAU) 1969, Cartagena Declaration (Latin America) 1984, Charter of Fundamental Rights of the European Union 2000 and Arab Charter on Human Rights 2004.

Furthermore, the judicial jurisprudence in form of rulings by international tribunals such as the rulings of ECtHR, UNCAT committee, the HR Committee of UN and Supreme Courts at state level. Also, the reports and comments of UN Treaty Body and UN special Rapporteurs, UNHCR guidelines and UN executive committee conclusions.

Secondary sources include articles of law review from international journals, commentaries of public international law academicians and legal scholarly work.

This paper assesses non-refoulement, by examining current lawful position and operational difficulties it faces through text-based statutory explanation, comparative scrutiny and the combination of legal principles (Khan et al., 2026).

This work is timely and contributes to international legal discourse on the matters of state sovereignty, border administration/ control and international human rights abidance. A doctrinal synthesis is required to clarify the non-derogable limits of state authority especially as increased state practice trends toward externalization of borders and limitations to physical access status determination procedures. This study compares and contrasts the qualified exceptions of the refugee law with the absolute prohibitions provided by the human rights instruments, and offers legal scholars, practitioners, judicial authorities and policy makers with an analytical tool to evaluate the legality of the mechanisms of migration control currently in use under public international law (Khan et al., 2023).

2. Article 33 Refugee Convention 1951

2.1 The Architecture

The basic architecture and significance of non-refoulement is that it is covered by the foundational text in the Refugee Convention, 1951, namely Article 33(1):

“No contracting State may again expel or return ('refouler') a refugee to the borders of the territories in any way whatsoever in which because of his race, religion, nationality, membership of a particular social group or political opinion his life or freedom would be threatened.”

Important legal parameters for the operation of Article 33(1) of the arrangement are present in the text;

1. "In any way whatsoever" is a broad enough definition that it clearly includes any kind of state action. Bans direct deportation or expulsion orders, indirect removal (chain refoulement through third countries), rejection at the border, extraditions and interception at sea before the state's formal area.
2. The target group i.e. refugees, it's vital to highlight that refugee status is declaratory not constitutive as per article 1A (2) of Refugee Convention 1951. The definition of refugee is arrived at as soon as the refugee has demonstrated that there exists fear of persecution. The application of article 33(1) to asylum seekers, who have not yet been formally considered for asylum, prevents 'summary deportation' before determination of their asylum position.
3. The Nexus Requirement is that the danger faced must relate to any one of the criteria/ grounds for international refugee protection, i.e., race, religion, nationality, membership of a particular social group, and/or political opinion.
4. The meaning of non-refoulement is solely prospective and objective as compared to state-centric extraditions. Civilized places where life or freedom might be endangered clearly implies that it's a big concern for what harms the individual is likely to suffer upon return.

2.2 Standard of Proof and Threshold of Harm

The requirement to invoke the protection of article 33 is for a real risk to be established. International law (pronouncements of the UNHCR Executive Committee and national supreme courts) has laid out that a high degree of certainty is not required, but that there must

be objective country-of-origin information demonstrating a "reasonable degree of likelihood" or a "reasonable risk" of harm, and that asylum seeker must establish "well-founded fear" of harm (Hussain et al., 2023).

3. Exceptions of non-refoulement

Refugee Convention (1951) is unlike human rights treaties, in that it contains specific legal exceptions that weigh state security with refugee rights to protection regarding non-refoulement.

3.1 The Framework of Article 33(2)

Article 33(2) lists two very limited circumstances in which a Contracting State may refuse to allow a refugee the benefit of non-refoulement.

1. National Security is one basis that implies there may exist a threat from a refugee to security of state they are in, on reasonable grounds.
2. Public Safety/ Serious Crime Ground is the second basis for states to decline refugee protection. But it has to be proved that a refugee has received final judgement of a serious crime committed and he poses danger to the local people of a state.

3.2 Conditions invoking Article 33(2)

For the purposes of international law, it is necessary to interpret and apply Article 33(2) in a strictly judicial fashion.

1. No blanket exclusions are allowed based on specific nationalities, groups or offence categories (Individualized Risk Assessment). The state is liable to proof/ establish the active threat a person is to the host state.
2. Particularly Serious Crime: The offence is severe violence or destruction such as murder, armed robbery or related violence to make terrorist available.
3. Final conviction requirement: It is a legal standard that mere suspicion or unverified reports or pending charges is not sufficient to invoke criminal safety exception, a competent court of law's final judgement is required for it.
4. Proportionality Test: The risk that may be posed to the host society by the refugees must be balanced against the risk they face if they are sent back.

4. Non-refoulement under IHRL

It clearly identifies that refoulement of a person to a state where they face persecution or well-established fear of persecution exists is against IHRL. It provides for all migrants all the time regardless of their status of migration.

Article 33 Refugee Convention 1951

Non-refoulement has significantly broadened through international instruments regarding the human rights, which expanded the safeguard beyond the 1951 convention's limits. The initial legal instrument is the article 33 Refugee Convention 1951, clearly explaining a state cannot expel or send back a refugee to a territory where exists a peril to his life or liberty in any way whatsoever. This stance has been further expanded in article 3 ECHR (Hussain et al., 2023).

Article 3 ECHR 1950

Article 3 ECHR 1950, states nobody shall be exposed to torment or inhuman or humiliating treatment or reprimand. It's an inalienable claim and Article 15(2) of ECHR doesn't give any derogation of Article 3, even during wars or emergencies or threats to national security. Court affirmed this extraterritorial aspect in *Soering v United Kingdom* (1989), finding that where there has been substantial grounds for believing that the person, on his return, would face a

actual jeopardy of being exposed to action incompatible with article 3, then it becomes responsibility of the Contracting State. The Court concluded that a Contracting country can't dodge its convention obligations by sending an individual to another jurisdiction where such treatment is "foreseeable". Such a doctrine, which has been called the principle of indirect responsibility, was a turning point in the Court's history (Khan et al., 2022).

Article 3's absolute character was reinforced in *Chahal v. the United Kingdom* (1996), given preference over national security concerns. Deportation proceedings were initiated by the United Kingdom against Mr. Chahal, an Indian citizen, due to national security concerns. As he was associated with Sikh separatists' movement, it was evidentiary his treatment would be contrary to art. 3 upon his return to India. It was also held that the assurances provided by the Indian government regarding the safety of Mr. Chahal were not convincing, therefore his deportation would be an abuse of art. 3. It was held, article 3 bars removing/ returning an individual to a country where, it's established, an actual danger of inhumane/ degrading treatment/ torture. Further it was held that concern to national security isn't a justification to deport a person to a place having such high risk. ECtHR, in *Selmouni v France* (1999), ruled that article 3 is a 'living instrument' which requires interpretation by reference to situation in which it is now used. Act that is not considered previously as torture can be considered today as torture because inhumane treatment, torture standards and punishments change over time.

Article 5 Universal Declaration of Human Rights 1948

Article 5 UDHR protects individuals from in-human or humiliating conduct, torture/ cruelty/ reprimand, regardless the circumstances including public emergencies or war (UN General Assembly, 1948, Art. 5). It's obligatory on all countries without exception because in International Law, it's considered a peremptory norm.

Article 4 of Protocol 4 Convention for Protection of Human Rights and Fundamental Freedoms 1963

It bans the joint removal of aliens (Council of Europe, 1963, Art. 4). Purpose behind it is to stop the collective expulsion of aliens without assessing their individual circumstances, which results in disabling them in stating their reasons of migration compared to steps engaged to by pertinent authority. This was held in *Hirsi Jamaa and Others v. Italy* (ECtHR, 2012), where Italian military vessels intercepted African migrants traveling from Libya towards Italy by sea. Under the Italy-Libya migration control agreements, they were returned to Libya. These migrants weren't given the opportunity to identification, asylum or were provided with any information of their destination or any remedy as per the protocol or the convention. It was held that these aliens were boarded on Italian military vessels which clearly establishes the fact that they were in control and jurisdiction of Italy. This was a landmark case (Khan et al., 2021).

Article 7 ICCPR 1966

This protects individuals against torment, harsh, in-human or humiliating treatment or reprimand, making it absolute and non-derogable in nature.

Article 1 AP 1967 relating to the Status of Refugees

It clearly removes the hurdles of territorial and time-based restrictions of Refugee Convention 1951. This broader understanding has been recognized by national courts such as in the cases of *INS v. Cardoza-Fonseca* (1987) and *R v. Uxbridge Magistrates' Court* (1999). This also extends the protection of non-refoulement globally in contemporary displacement contexts.

4.1 Absolute standard of human rights non-refoulement

As per IHRL treaties, non-refoulement is an absolute and non-derogable right. Compared to Article 33(2) of the Refugee Convention, human rights-based approach does not allow any exceptions on grounds of state security/ public order. This absolute character had been fixed in high-quality foreign jurisprudence. The ECtHR has held consistently that art. 3 ECHR applies to somebody identified to have participated in acts of high-level national security and/or terrorism but who is also at a actual danger of torture/ abuse abroad. *Saadi v. Italy* (ECtHR Grand Chamber, 2008) reaffirmed *Chahal v. United Kingdom* (ECtHR, 1996) and expressly denied the one who argued that the threat of a suspect to another host state could offset the danger of abuse if returned to host state (Usman, 2021).

5. Torture and Danger of Grave HR Abuses

5.1 Article 3 UNCAT 1984

CAT art. 3(1) expressly bans return of persons to face torture. No country, who is a party to the convention, shall eject, return ('refouler') or deport somebody to another State knowingly that there exist actual grounds to believe they would face a risk of being exposed to torment. Conferring to art. 3(2), competent national authorities shall assess all of the factors listed, such as existence of a constant form of uncivilized, blatant/ mass abuses of human rights in target state. Art. 3 UNCAT is absolute and non-derogable. It states clearly that states are prohibited from extraditing, expelling, or returning any individual to another country, about whom substantial reasons are on record to believe their exposure to torment/ danger in that state (UN General Assembly, 1984, Art. 3). All relevant factors must be considered by relevant authorities such as gross, mass or flagrant human rights violations in the receiving state. Further this prohibition applies irrespective of the facts whether the person is a refugee or criminal suspect or is security danger to country. This was extended in the ECtHR, in *Selmouni v France* (1999), gave a judgment that severe police abuse is also considered torture as per article 3 ECHR. This dynamic interpretation applied by Court regarding HR protection validates ban of torture is absolute, also it should be implemented as per the evolving international standards.

5.2 CIHL and Jus Cogens (mandatory law)

Article 53 Vienna Convention on the Law of Treaties 1969, a custom achieves the status of Jus Cogens, when states accept and recognize it and it is non-derogable (United Nations, 1969). Immunity from torture is part of the jus cogens of general international law, which cannot be derogated by any State in any circumstances. Since non-refoulement is the legal remedy for preventing torture, scholars including Lauterpacht and Bethlehem (2003) and Gauci et al. (2015), and international tribunals, have argued that non-refoulement, at least in the context of danger of torture, subjective denial of life/ flagrant denial of justice, has become jus cogens.

As a result, the obligation is applicable to all States, irrespective of their ratification the Refugee Convention 1951 or particular human rights instruments. Heriyanto et al. (2023) concludes that Indonesia is already bound by non-refoulement under CIL, but stronger domestic legislation, Convention ratification, and regional ASEAN cooperation are needed to provide effective refugee protection. In order to establish CIL, two essentials must be demonstrated, firstly state practice (*Usus*)/ action over a time period and second is legal

obligation i.e. *opinion juris* which means that it's a belief that an action carried out by state is legally required not just an act of courtesy (Lauterpacht and Bethlehem, 2003).

Non-refoulement is discussed as keystone protection of refugees as per Refugee Convention 1951 in relation to human rights treaties, asylum procedures, extradition law, and protection of vulnerable refugees in one legal basket as proposed by Mariani (2024). A state may not set aside provisions of a treaty which diminish the basic non-refoulement obligation to stop the forced transfer of persons, or their failure to return to their countries, when it comes to protection against torture or severe ill-treatment (Usman et al., 2021).

6. The question of application outside of the territory and beyond the boundary

A point of a great deal of contention in modern international law regards the extent of states' non-refoulement obligations: whether they apply beyond the territorial dimension of non-refoulement to encompass international waters, border crossings and transit zones, as well as externalized border control checkpoints.

6.1 Extraterritorial Jurisdiction: The Effective Control Test

In international law, state jurisdiction has evolved, primarily along territorial lines, but with human rights treaties having an effect on the jurisdiction of the state wherever it has effective control over an individual or a vessel, irrespective of the borders of the State.

6.2 Key Jurisprudential Benchmarks

Important international cases has played a vital role in the development of concept of extraterritorial non-refoulement. In *Sale v. Haitian Centers Council* (US Supreme Court, 1993), is a leading US case where US coastal guards intercept a vessel on high seas, carrying Haitian migrants, on the executive order of the President and send them back to Haiti without protection screening. The Supreme Court of the US held that actions taken on high seas are outside state jurisdiction and article 33 of 1951 convention isn't applicable. It further stated that the protection of the convention applies to refugees already inside the territory of a state. This narrow approach, as criticized by international scholars, the UNHCR and international organizations, clearly undermined the interpretation of refugee protection.

In *Hirsi Jamaa and Others v. Italy* (ECtHR, 2012), Italian military vessels intercepted African migrants traveling from Libya towards Italy by sea. Under the Italy-Libya migration control agreements, they were returned to Libya. These migrants weren't given the opportunity to identification, asylum or were provided with any information of their destination. The legal issues considered by the Court were, firstly, whether Italy violated the article 3 of ECHR, secondly, art. 4 of protocol 4 i.e. prohibition on expulsion of aliens, and lastly article 13 which gives right to effective solution. The ECHR held that state has jurisdiction on high seas as the migrants were boarded onto Italian military vessels, which means they were under the exclusive and continuous control of Italy and within jurisdiction for the purpose of convention. Furthermore, Article 3 of ECHR, i.e. prohibition of torture, was violated when the migrants were sent back to Libya, where they were facing real threat and risk of inhumane treatment and persecution, without an examination of their protection claims. Also, art. 4 (protocol no. 4) prohibits joint removal of extra-terrestrials, which was done with the assessment of individuals. Lastly, article 13 on the convention was violated as the migrants weren't provided with right to effective remedy; no procedure as to challenge the decision of returning them back and recognition of asylum rights. This case is considered the one of the most significant judgements on principle of non-refoulement.

6.3 Border Pushbacks as well as Transit Zone Objections

In recent times, state policies have increasingly resorted to the use of spatial or legal doubles, like attributing international airports, transit hubs or borders to a status of "extraterritorial zones" and thereby preventing asylum seekers' entrance. International jurisprudence recognizes that:

1. Legalities cannot end state liability.
2. The rejection of refugees at the frontier (refoulement at the border), without facilitating access to just plus operative procedures which regulate refugee position, is inconsistent with Article 33 and customary international law.
3. State duties of non-refoulement cannot be dodged by outsourcing migration management to third countries not having protection mechanisms in place (e.g., externalised processing agreements).

7. Comparative Application: Regional Frameworks and State Practice.

Non-refoulement is interpreted and enforced differently in the different legal systems and state's jurisdiction. Other regions use distinct legal instruments, while the legal systems in Europe are still very much influenced by the ECtHR and EU Law, including the EU Asylum Procedures Directive.

7.1 Regional Refugee Conventions

The reach of non-refoulement has expanded more through regional bodies providing broader definitions or strict mechanisms for enforcement as compared to global frameworks.

ECHR 1950

This concord prohibits suffering/ degrading/ inhumane treatment/ punishment. From Council of Europe, 46 states are members to this convention. The ECtHR clearly established that Art. 3 ECHR creates an absolute obligation of non-refoulement (Chahal v. UK, 1996; Saadi v. Italy, 2008) and further applies to extra territorial jurisdictions on international waters (Hirsi Jamaa v. Italy, 2012).

Charter of Fundamental Rights of the European Union (2000)

Art. 19(2) states explicitly that removal, expulsion or deportation of individual is prohibited to a nation where they face grave risk of torture, death penalty or inhumane treatment. It is binding as per the EU primary law.

OAU/ African Union Refugee Convention of 1969:

The convention introduces the concept of refugee who left his/her country "out of distress of maltreatment due to race, religion, sex, or association with social or economic class or minority group carried by a foreign power or because a general international emergency of a continuing nature had occurred that makes it unsafe for them to return or leave. There are explicit restrictions on refusal at frontier in Article II (3) (OAU, 1969).

American Convention on Human Rights (ACHR, 1969)

This concord clearly bans an alien to be returned to a state where they face endangerment to their right to life due to religion, race, nationality, political opinions or social status.

Cartagena Declaration (Latin America) 1984

Cartagena Declaration 1984 provides that those who must flee from generalized violence, from internal conflict or from mass violations of human rights have merit for protection under non-refoulement (Cartagena Declaration, 1984, Conclusion III.3).

Arab Charter on Human Rights (ACHR) 2004

Art. 28 states that it is prohibited to extradite political refugees to a country from which they fled.

7.2 Non-Signatory States and Domestic Realities

Non-refoulement in areas where important States aren't parties to Refugee Convention 1951 (such as some South Asian States) is based mainly on:

1. Commitments under Customary international law.
2. Domestic constitutional guarantees (including the constitutional right to life and personal liberty, which by judicial interpretation is extended to non-citizens).
3. Provisions embedded within domestic bilateral extradition treaties and national executive policies.

Pakistan, Refugee Convention 1951 and Judicial recognition

Pakistan is non-signatory to Refugee Convention 1951 and 1967 Protocol relating to status of Refugee status but a signatory to UNCAT. It also doesn't have a domestic law regarding refugees through Executive Decrees and Proof of Registration cards (PoR). Judiciary has enforced non-refoulement through two fundamental rights mentioned in Article 4 and 9 of Pakistan's Constitution 1973. Right to life (Article 9) which includes that no being shall be disadvantaged of life or liberty, and person includes non-citizens and refugees within the territory of Pakistan. Protection of law (Article 4) means individuals residing in Pakistan to be dealt in accordance with the law. In the landmark judgement of *Rahil Azizi v. State* (Islamabad High Court, 2024), criminal charges imposed on an Afghan refugee under section 14(2) of Foreigners Act 1946 was quashed. It was held that fleeing persecution in order to save one's life by entering Pakistan doesn't mean it was for unlawful purpose as per the domestic law.

India and Domestic legal framework

India is non-signatory of refugee convention 1951, UNCAT, and 1967 Protocol. Domestic legal mechanism of India in this regard is the Foreigners Act 1946, empowering executive to detain and expel non-citizens. But SC of India enforced no-refoulement through constitutional anchor i.e. Art. 21 Protection of Life and Personal Freedom to both citizens and non-citizens. Foreign national's deportation was stayed by application of principles of non-refoulement by Supreme Court rulings in *Dr. Malvika Karlekar v. Union of India* (1992) and *State of Arunachal Pradesh v. Khudiram Chakma* (1994).

8. Challenges and Future Direction:

In the 21st century, the principle of non-refoulement faces serious challenges.

1. States that want to and typically do deport people alleged of terrorism get diplomatic assurances from receiving governments against torture. But human rights organizations rule every time that these assurances are not reliable and doesn't simply remove the actual risk of prohibited torture.
2. The Climate-Induced Displacement or displacement due to environmental degradation is the biggest challenge faced by individuals. International tribunals, such as in the UNHR committee in *Teitiota v. New Zealand* (2019), are starting to consider the return of displaced persons to territories faced with climate change disasters, where lives are under threat, is incompatible with right to life under ICCPR in addition initiates the non-refoulement principle.

3. The use of automated border monitoring (AI-driven) and surveillance, and automated entry-denial technologies, is particularly concerning as it could result in automated pushbacks, bypassing the mandatory protection assessments that each applicant should be put through. This could result in return of individuals wrongfully who are in urgent need of protection.

9. Conclusion

Non-refoulement continues being essential aspect of international protection and is a key element of the enjoyment of human dignity, life and physical integrity. Both developed as a qualified treaty norm under art. 33 of Refugee Convention (1951), but with inclusion of IHRL, torture and grave ill-treatment is now given an absolute, non-derogable, peremptory (*jus cogens*) obligation.

Extraterritorial pushbacks, diplomatic assurances or legal fictions at frontiers must be named, denounced and actively challenged by national legal systems and international institutions to ensure the respect for integrity of international law. Non-refoulement playing a vital role in future of international protection, and its implementation is essential at all borders, all maritime areas, and in all legal, administrative and policy frameworks in the world.

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